

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

THE LARYNGEAL MASK COMPANY LTD. and LMA NORTH AMERICA, INC.

CASE NO. 07-CV-1988-DMS (NLS)

Plaintiffs,
vs.

**ORDER DENYING DEFENDANTS' EX
PARTE MOTION TO EXTEND
DEADLINE TO FILE OBJECTIONS**

AMBU A/S, AMBU, INC., AMBU LTD.,
and AMBU SDN, BHD.

[Docket No. 269]

Defendants

AND RELATED COUNTERCLAIM.

This case comes before the Court on Defendants' *ex parte* motion to extend the deadline to file objections to Judge Stormes July 17, 2009 Discovery Order. Plaintiffs have filed an opposition to the motion.

After reviewing the parties' briefs, the Court finds Defendants' motion is untimely. Federal Rule of Civil Procedure 72(a) states that objections to a discovery order must be filed within ten days of service of the order. Fed. R. Civ. P. 72(a). Since the Discovery Order at issue here was filed and served on July 17, 2009, Defendants had until July 31, 2009, to either file their objection or this *ex*

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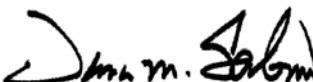
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1 *parte* motion. They failed to do so, instead filing the instant motion on August 3, 2009. Accordingly,
2 Defendants' *ex parte* motion is denied as untimely.

3 **IT IS SO ORDERED.**

4 **DATED: August 6, 2009**

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6 HON. DANA M. SABRAW
7 United States District Judge
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